

NELSON F. FREEBURG, ET UX, ET AL,  
GRANTORS

STATE MS.-DE SOTO CO.  
FILED

BOOK 260 PAGE 500

AUG 11 11 00 AM '93

J.K.  
J.K.

TO

WARRANTY DEED

REEVES-WILLIAMS, INC.,  
A MISSISSIPPI CORPORATION,  
GRANTEE

BK 260 PG 500  
W.E. DAVIS CH. CLK.  
J.S. Cleveland

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, Nelson F. Freeburg, and wife, Helen H. Freeburg, and Nelson F. Freeburg, Jr., Houston L. Freeburg, Emily H. Freeburg Kay and Phillip H. Freeburg do hereby sell, convey, and warrant unto Reeves-Williams, Inc., a Mississippi Corporation, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

20.2008 acres, more or less, located in Section 30, Township 1 South, Range 7 West, Southaven, DeSoto County, Mississippi, and being more particularly described as follows: BEGINNING at an iron stake in the easterly line of Airways Boulevard, said stake being 2644.13 feet northwardly and 53.00 feet eastwardly from the accepted southwest corner of Section 30, Township 1 South, Range 7 West, Southaven, DeSoto County, Mississippi, said point being also the northwest corner of the First Revision, Airways Commercial Center Subdivision; thence North 89° 17 minutes 25 seconds West with the north line of same said subdivision for a distance of 700.00 feet to a point, said point being the True Point-of-Beginning for herein described tract of land; thence North 89° 17 minutes 25 seconds East (N 89° 17' 25" E), a distance of 591.32 feet to a point; thence North 0° 00 minutes 15 seconds East (N 0° 00' 15" E), a distance of 1483.74 feet to a point; thence North 89° 50 minutes 37 seconds West (N 89° 50' 37" W), a distance of 591.28 feet to a point; thence South 0° 00 minutes 15 seconds West (S 0° 00' 15" W), a distance of 1492.68 feet to the true point of beginning; and containing 20.2008 acres, or 879,945 square feet.

The above described real estate is a part of that certain parcel of real estate conveyed by James B. Davis and Mary Katherine Davis to the following grantees:

1. Nelson F. Freeburg, Sr. (an undivided one-sixth interest);
2. Helen H. Freeburg (an undivided one-sixth interest);
3. Helen H. Freeburg, Trustee under Trust Agreement No. 1 created for the benefit of Nelson F. Freeburg, Jr., dated December 31, 1951 (an

undivided one-sixth interest);

4. Helen H. Freeburg, Trustee under Trust Agreement No. 1 created for the benefit of Houston L. Freeburg, dated December 29, 1954 (an undivided one-sixth interest);
5. Nelson F. Freeburg, Sr., Trustee under Trust Agreement No. 2 created for the benefit of Emily H. Freeburg, dated December 27, 1963 (an undivided one-sixth interest);
6. Nelson F. Freeburg, Sr., Trustee under Trust Agreement No. 2 created for the benefit of Philip H. Freeburg, dated December 27, 1963 (an undivided one-sixth interest);

The deed conveying said real estate to the above named grantees was recorded in Deed Book No. 129 at Page 542 in the records of the Chancery Clerk of DeSoto County, Mississippi.

The four trust instruments referred to in numbered paragraphs 3, 4, 5, and 6 hereinabove were never lodged with the Clerk of said Chancery Court to be recorded. However, with respect to said trust instruments, the grantors herein make the following representations of fact:

- a) That all four trust instruments referred to were in written existence prior to the date of said deed recorded in Book No. 129, Page 542;
- b) That the sole beneficiary of the trust referred to in numbered paragraph 3 hereinabove was Nelson Fraser Freeburg, Jr., the same person as Nelson F. Freeburg, Jr.; and that under the terms of said trust instrument Nelson Fraser Freeburg, Jr. had the absolute right, upon reaching the age of thirty (30), to demand and receive from the said trustee the entire corpus of said trust; that the said Nelson Fraser Freeburg, Jr. has heretofore reached the age of thirty (30) and has received from the said trustee all the trustee's interest in the real estate described hereinabove, the deed of conveyance from said trustee to Nelson F. Freeburg, Jr., being recorded in Deed Book 233, Page 687 in the records of the Clerk of the Chancery Court of DeSoto

County, Mississippi;

- c) That the sole beneficiary of the trust referred to in numbered paragraph 4 hereinabove was Houston L. Freeburg; and that under the terms of said trust instrument, Houston L. Freeburg had the absolute right, upon reaching the age of 25, to demand and receive from the said trustee the entire corpus of said trust; that the said Houston L. Freeburg has heretofore reached the age of twenty-five (25) and has received from the said trustee all the trustee's interest in the real estate described hereinabove, the deed of conveyance from said trustee to Houston L. Freeburg, being recorded in Deed Book 233, Page 684 in the records of the Clerk of the Chancery Court of DeSoto County, Mississippi;
- d) That the sole beneficiary of the trust referred to in numbered paragraph 5 hereinabove was Emily Hull Freeburg, the same person as Emily H. Freeburg, and Emily H. Freeburg Kay; and that under the terms of said trust instrument, Emily Hull Freeburg had the absolute right, upon reaching the age of twenty-five (25), to demand and receive from the said trustee the entire corpus of said trust; that the said Emily Hull Freeburg has heretofore reached the age of twenty-five (25) and has received from the said trustee all the trustee's interest in the real estate described hereinabove, the deed of conveyance from said trustee to Emily H. Freeburg Kay; being recorded in Deed Book 191, Page 312 in the records of the Clerk of Chancery Court of DeSoto County, Mississippi;
- e) That the sole beneficiary of the trust referred to in numbered paragraph 6 hereinabove was Philip Hayden Freeburg, the same person as Philip H. Freeburg; and that under the terms of said trust instrument Philip Hayden Freeburg had the absolute right, upon reaching the age of twenty-five (25), to demand and receive from the said trustee the entire corpus of said trust; that the said Philip

Hayden Freeburg has heretofore reached the age of twenty-five (25) and has received from the said trustee all the trustee's interest in the real estate described hereinabove, the deed of conveyance from said trustee to Philip H. Freeburg, being recorded in Deed Book 197, Page 43 in the records of the Clerk of the Chancery Court of DeSoto County, Mississippi.

In executing this instrument, Helen H. Freeburg declares that it is her intention to convey and she does hereby convey to Reeves-Williams, Inc. any and all right, title and interest which she may have acquired in the above described real estate in her individual capacity, or otherwise, by reason of the fact that the trust instruments referred to in numbered paragraphs 3 and 4 hereinabove were never lodged with the Clerk of the Chancery Court of DeSoto County, Mississippi to be recorded. Such conveyance by Helen H. Freeburg is made in addition to the conveyance of that one-sixth interest in said real estate which she acquired in her individual capacity as set out in numbered paragraph 2 hereinabove.

In executing this instrument Nelson F. Freeburg, Sr., declares that it is his intention to convey and he does hereby convey to Reeves-Williams, Inc. any and all right, title and interest which he may have acquired in the above described real estate in his individual capacity, or otherwise, by reason of the fact that the trust instruments referred to in numbered paragraphs 5 and 6 hereinabove were never lodged with the Clerk of the Chancery Court of DeSoto County, Mississippi to be recorded. Such conveyance by Nelson F. Freeburg, Sr., is made in addition to the conveyance of that one-sixty interest in said real estate which he acquired in his individual capacity as set out in numbered paragraph 1 hereinabove.

The warranty in this Deed is subject to rights of way and easements for public roads and public utilities, subdivision and zoning regulations in effect in the City of Southaven, DeSoto County, Mississippi; and further subject to all applicable building restrictions and restrictive covenants of record.

IT IS AGREED AND UNDERSTOOD that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are

actually determined, if the proration as of this date is incorrect, then the grantor agrees to pay to said grantees or their assigns any deficit on an actual proration.

Possession is to be given with delivery of this Deed.

WITNESS our signatures, this the 9<sup>th</sup> day of August, 1993.

Nelson F. Freeburg  
NELSON F. FREEBURG

Helen H. Freeburg  
HELEN H. FREEBURG

Nelson F. Freeburg, Jr.  
NELSON F. FREEBURG, JR.

Houston L. Freeburg  
HOUSTON L. FREEBURG

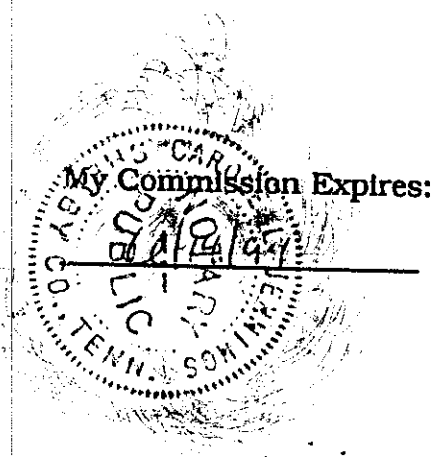
Emily H. Freeburg Kay  
EMILY H. FREEBURG KAY

Philip H. Freeburg  
PHILIP H. FREEBURG

STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my jurisdiction, the within named Nelson F. Freeburg, who acknowledged that he executed the above and foregoing instrument.

Charles L. Jennings  
Notary Public



STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my jurisdiction, the within named Helen H. Freeburg, who acknowledged that she executed the above and foregoing instrument.

Carole L Jennings  
Notary Public

My Commission Expires: 6/14/94

STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my jurisdiction, the within named Nelson F. Freeburg, Jr., who acknowledged that he executed the above and foregoing instrument.

Carole L Jennings  
Notary Public

My Commission Expires: 6/14/94

STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my jurisdiction, the within named Houston L. Freeburg, who acknowledged that he executed the above and foregoing instrument.

Carole L Jennings  
Notary Public

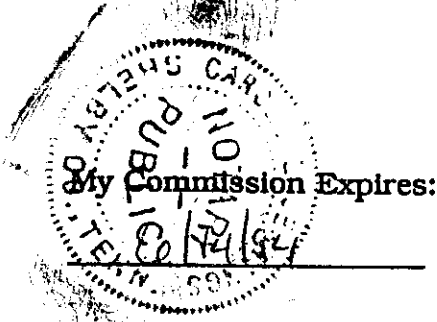
My Commission Expires: 6/14/94

STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my

jurisdiction, the within named Emily H. Freeburg Kay, who acknowledged that she executed the above and foregoing instrument.

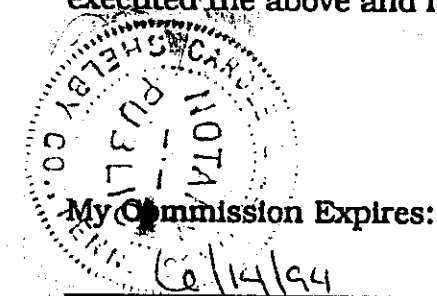
Carole L. Jennings  
Notary Public



STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this 9<sup>th</sup> day of August, 1993 within my jurisdiction, the within named Phillip H. Freeburg, who acknowledged that he executed the above and foregoing instrument.

Carole L. Jennings  
Notary Public



GRANTORS' ADDRESS:

10 E. Chickasaw Pkwy  
Memphis Tennessee 38111  
HOME PHONE: 901-458-9312  
WORK PHONE: 901-458-0005

GRANTEES' ADDRESS:

P.O. Box 167  
Southaven MS 38671  
HOME PHONE: N/A  
WORK PHONE: 393-4250

WITNESSES & NOTARIAL  
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